

#5

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 09/728,605
Filing Date: December 1, 2000
Applicant: de La Chapelle
Group Art Unit: not assigned
Examiner: not assigned
Title: Return Link Design for PSD Limited Mobile Satellite
Communication Systems
Attorney Docket: 7784-000141CPA

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto. The Examiner's attention is directed to U.S. Patent No. 6,104,914, involving a data communication system having adaptive power control. However, the Examiner is nevertheless urged to review each of the cited references carefully and to make an independent determination as to the relevance of each.

II. COPIES

a. ☒ Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

b. ____ Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

a. ☒ Except as may be indicated below in (b), all of the patents, publications or other information are in the English language (concise explanation not required).

b. ____ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

c. ____ The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

a. ____ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.

Filing Date

Art Unit

V. THIS IDS IS BEING FILED UNDER

a. ____ 37 C.F.R. § 1.97(b): (check only one box)

1. ____ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. ____ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.

3. ____ before the mailing of a first Office action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

4. ____ before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

b. ____ 37 C.F.R. § 1.97(c): (check only one box)

- before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. ____ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

2. ____ See the certification below. No fee is required.

c. ____ 37 C.F.R. § 1.97(d):

- after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. ____ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

a. ____ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application

not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)); or

b.____ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

c.____ Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. PAYMENT OF FEES (check only one box)

a.____ A check in the amount of \$180.00 is enclosed for the above-identified fee.

b.____ Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.


The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

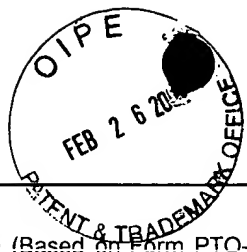
If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

Dated: February 22, 2001
HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600


Mark D. Elchuk
Reg. No. 33,686



FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION**
(Use several sheets if necessary)

Sheet 1 of 3

ATTORNEY DOCKET NO.

7784-000141CPA

SERIAL NO.

09/728,605

APPLICANT

de La Chapelle

FILING DATE

12/1/00

GROUP

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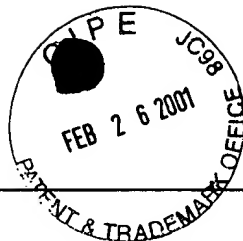
U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		3,972,045	07/1976	Perret		
2.		4,392,139	07/1983	Aoyama et al		
3.		4,743,906	05/1988	Fullerton		
4.		4,866,515	09/1989	Tagawa et al		
5.		4,901,307	02/1990	Gilhousen et al		
6.		4,958,381	09/1990	Toyoshima		
7.		5,127,021	06/1992	Schreiber		
8.		5,146,234	09/1992	Lalezari		
9.		5,230,076	07/1993	Wilkinson		
10.		5,249,303	09/1993	Goeken		
11.		5,285,470	02/1994	Schreiber		
12.		5,289,272	02/1994	Rabowsky et al		
13.		5,311,302	05/1994	Berry et al		
14.		5,313,457	05/1994	Hostetter et al		
15.		5,463,656	10/1995	Polivka et al		
16.		5,495,258	02/1996	Muhlhauser et al		
17.		5,524,272	06/1996	Podowski et al		
18.		5,555,466	09/1996	Scribner et al		
19.		5,568,484	10/1996	Margis		
20.		5,583,735	12/1996	Pease et al		
21.		5,760,819	06/1998	Sklar et al		
22.		5,790,175	08/1998	Sklar et al		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION**
(Use several sheets if necessary)

Sheet 2 of 3

ATTORNEY DOCKET NO.

7784-000141CPA

SERIAL NO.

09/728,605

APPLICANT

de La Chapelle

FILING DATE

12/1/00

GROUP

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U.S. PATENT DOCUMENTS

23.		5,801,751	09/1998	Sklar et al		
24.		6,034,634	03/2000	Karrisson et al		
25.		6,047,165	04/2000	Wright et al		
26.		6,104,914	08/2000	Wright et al		
27.		6,108,523	08/2000	Wright et al		
28.		4,654,484	03/1987	Reiffel et al		
29.		6,014,606	01/2000	Tu		
30.		6,005,513	12/1999	Hardesty		
31.		5,990,928	11/1999	Sklar et al		
32.		5,027,124	06/1991	Fitzsimmons et al		
33.		5,884,164	03/1999	Gerard et al		
34.		5,867,765	02/1999	Nilsson		

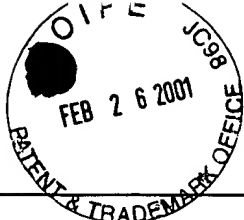
FOREIGN PATENT DOCUMENTS

						Translation	
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Yes	No
1.							

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FORM HDP-1449 (Based on Form PTO-1449) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Sheet 3 of 3	ATTORNEY DOCKET NO. 7784-000141CPA	SERIAL NO. 09/728,605
	APPLICANT de La Chapelle	
	FILING DATE 12/1/00	GROUP --

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)		
Ref. Desig.	Examiner's Initials	
1.		Publication entitled "Field Experiment on Digital Maritime and Aeronautical Satellite Communication Systems Using ETS-V" by Y. Yasuda, M. Ohashi, F. Sugaya, M. Yasunaga and Y. Karasawa dated 1989
2.		Publication "ARINC wins support for AvSat program" by Bron Rek dated 05/1987.
3.		Publication "Applied Superconductivity" by Roger B. Poeppel, Volume 1, Numer 7-9, July-September, 1993.
4.		"Spread-spectrum signals used in global satellite navigation" by P. Daly, S.A. Dale, I.D. Kitching and G.R. Lennen.
5.		"Airborne array antennas for satellite communication" by M. Yasunaga, F. Watanabe and T. Shiokawa.
6.		"Airborne Phased Array Antenna for Mobile Satellite Communications" by T. Teshirogi, M. Tanaka and S. Ohmori.
7.		Correspondence entitled "Propagation Results of Aeronautical Satellite Communication Experiments using INMARSAT Satellite"; Vol. 28, No. 4, October 1992.
8.		"Aircraft Earth Station For Experimental Mobile Satellite System" by S. Ohmori, Y. Hase, K. Kosaka and M. Tanaka.
9.		FCC application dated February 16, 1987.

Examiner:	Date Considered:
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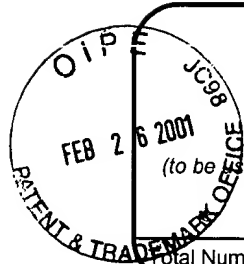
Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/728,605
Filing Date	12/1/00
First Named Inventor	de La Chapelle
Group Art Unit	not assigned
Examiner Name	not assigned
Attorney Docket Number	7784-000141CPA
Total Number of Pages in This Submission	9

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO Form 1449; 43 cited references.
Remarks		The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.
Signature	<i>Mark D. Elchuk</i>
Date	February 22, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: February 22, 2001			
Typed or printed name	Mark D. Elchuk		
Signature	<i>Mark D. Elchuk</i>	Date	February 22, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.